

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DataTern, Inc.,

Plaintiff,

v.

Abbott Laboratories, et al.

Defendants.

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Civil Action No. 2:11-cv-00203-TJW-CE

JURY TRIAL DEMANDED

ORDER OF DISMISSAL WITH PREJUDICE

In consideration of the Joint Motion for Dismissal of all claims with prejudice and all counterclaims as moot asserted between Plaintiff DataTern, Inc. and Defendant Pfizer, Inc., the Joint Motion for Dismissal is GRANTED, and it is ORDERED, ADJUDGED, AND DECREED that all claims asserted in this suit between Plaintiff and Defendant are hereby dismissed with prejudice and all counterclaims are dismissed as moot, subject to the terms of that certain agreement entitled "SETTLEMENT AGREEMENT", entered into and effective December 2, 2011.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

SO ORDERED.

SIGNED this 15th day of December, 2011.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE